

Name: SCOTT Richard Price
 Address: RCCO 12500 Bruceville Rd
Elm Grove, CA 95757

FILED

APR 27 2022

CDC or ID Number: 4102570CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY

DEPUTY CLERK

UNITED STATES
DISTRICT COURT
EASTERN DISTRICT
OF CALIFORNIA

(Court)

PETITION FOR WRIT OF HABEAS CORPUS

No.

22-cv-00722-DMC

(To be supplied by the Clerk of the Court)

SCOTT Richard Price
 Petitioner
 vs.
DISTRICT Judge, Deborah Barnes
 Respondent
DISTRICT Judge, Jeremy D. Paterson

INSTRUCTIONS—READ CAREFULLY

- If you are challenging an order of commitment or a criminal conviction and are filing this petition in the Superior Court, you should file it in the county that made the order.
- If you are challenging the conditions of your confinement and are filing this petition in the Superior Court, you should file it in the county in which you are confined.

- Read the entire form *before* answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the superior court, you only need to file the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal, file the original of the petition and one set of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and 10 copies of the petition and, if separately bound, an original and 2 copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.

Approved by the Judicial Council of California for use under rule 8.380 of the California Rules of Court (as amended effective January 1, 2018). Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

This petition concerns:

- ☐ A conviction ☐ Parole
- ☐ A sentence ☐ Credits
- ☐ Jail or prison conditions ☐ Prison discipline

☒ Other (specify): Judicial administration misconduct

1. Your name: SCOTT Richard Price
2. Where are you incarcerated? Rio Cosumnes Correctional Center
3. Why are you in custody? ☒ Criminal conviction ☐ Civil commitment

Answer items a through i to the best of your ability.

- a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").

Vehicle Theft
POSSESSION - RECEIVING STOLEN PROPERTY
459 2nd

- b. Penal or other code sections: VC 10851 PC 496 PC 459 2nd
- c. Name and location of sentencing or committing court:

SACRAMENTO COUNTY SUPERIOR COURT
OF CALIFORNIA Opt #61

- d. Case number: 20FE010249-21FE002983-20FE002590-62-174044B
- e. Date convicted or committed: _____
- f. Date sentenced: April 30, 2021
- g. Length of sentence: _____
- h. When do you expect to be released? _____
- i. Were you represented by counsel in the trial court? ☒ Yes ☐ No If yes, state the attorney's name and address:

PANEL BRANDON E. HINTZ

4. What was the LAST plea you entered? (Check one):

☐ Not guilty ☐ Guilty ☒ Nolo contendere ☐ Other: _____

5. If you pleaded not guilty, what kind of trial did you have?

☐ Jury ☒ Judge without a jury ☐ Submitted on transcript ☐ Awaiting trial

6. GROUNDS FOR RELIEF

Ground 1: State briefly the ground on which you base your claim for relief. For example, "The trial court imposed an illegal enhancement." (If you have additional grounds for relief, use a separate page for each ground. State ground 2 on page 4. For additional grounds, make copies of page 4 and number the additional grounds in order.)

Federal Judicial administrative misconduct

a. Supporting facts:

Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts on which your conviction is based. If necessary, attach additional pages. CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel, you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See *In re Swain* (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is, who did exactly what to violate your rights at what time (when) or place (where).

on the date of, 04-03-22,

Petitioner sent letter to United States Magistrate Judge, Deborah Barnes and Magistrate Judge, Jeremy D. Paterson a Sworn Court letter requesting for a hearing in regards to a threat from a RCCC SHERIFF.

However, Petitioner has not received any response back from the Sworn Court letters that was sent to above listed UNITED STATES DISTRICT COURT Magistrate Judges in a reasonable amount of time.

b. Supporting documents:

Attach declarations, relevant records, transcripts, or other documents supporting your claim. (See *People v. Duvall* (1995) 9 Cal. 4th 464, 474.)

Additional Sworn Court Document Attached Supporting Claim

c. Supporting cases, rules, or other authority (optional):

(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

Constitutional Law due process hearing 786. due process hearing 803.5
Constitutional Law 525 - Constitutional Law 746, 848
Constitutional Law 831.5 - Constitutional Law 827
Confrontation and Cross-Examination
Constitutional Law 513 Protection against arbitrary action of Government Price vs. District Citations Omitted.

7. Ground 2 or Ground _____ (if applicable):

RCCC Perjury and Subornation of Perjury

a. Supporting facts:

IN Addition Petitioner Sent Sworn letters to United States District Judge Troy L. Nunley and Clerk of the matter Concerning a Threat.

Petitioner has advised District Attorney Anne Marie Schubert also of the Conditions that violated human Safety right in over (90) days From the date and has not been Scheduled For hearing of the matter as requested. Petitioner has Filed Multiple Grievance Forms Due to the Fact RCCC SERGEANT Falsified State Supreme Court documents of the Threat That took place at RCCC on the date of, 05-04-2021, SERGEANTS declaration to Supreme Case No. 5270217 Stated that the Sheriff deputy Mr. Gill did not refuse grievance From inmate which is by Fact False. Preponderance of the evidence beyond a reasonable doubt is clearly on RCCC CCTV

b. Supporting documents:

Additional Supporting documents are attached as proof For Court Case listed NO. 2:22-CV-00202-DB.

c. Supporting cases, rules, or other authority:

Price vs. District 2022
Federal Practice and Procedure 1216 3d ed. 2004

8. Did you appeal from the conviction, sentence, or commitment? ☒ Yes ☐ No If yes, give the following information:

a. Name of court ("Court of Appeal" or "Appellate Division of Superior Court"):

SACRAMENTO COUNTY SUPERIOR COURT

b. Result:

DENIED

c. Date of decision:

d. Case number or citation of opinion, if known:

e. Issues raised: (1)

(2)

(3)

f. Were you represented by counsel on appeal? ☐ Yes ☒ No If yes, state the attorney's name and address, if known:

9. Did you seek review in the California Supreme Court? ☒ Yes ☐ No If yes, give the following information:

a. Result:

b. Date of decision:

c. Case number or citation of opinion, if known:

d. Issues raised: (1)

RCCC Falsified SUPREME COURT documents

(2)

(3)

10. If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not make on appeal, explain why the claim was not made on appeal (see *In re Dixon* (1953) 41 Cal.2d 756, 759):

11. Administrative review:

a. If your petition concerns conditions of confinement or other claims for which there are administrative remedies, failure to exhaust administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See *In re Dexter* (1979) 25 Cal.3d 921, 925.) Explain what administrative review you sought or explain why you did not seek such review:

Document Attached Petitioner exhausted all administrative remedies of the matter and advised all County Counsel and has not been scheduled for a hearing regarding a Sheriff handing back my grievance safety concern and threatening my life. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

b. Did you seek the highest level of administrative review available? ☒ Yes ☐ No

Attach documents that show you have exhausted your administrative remedies. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction, commitment, or issue in any court, including this court? (See *In re Clark* (1993) 5 Cal.4th 750, 767-769 and *In re Miller* (1941) 17 Cal.2d 734, 735.)

☒ Yes If yes, continue with number 13.

☐ No If no, skip to number 15.

- 13 a. (1) Name of court: _____
- (2) Nature of proceeding (for example, "habeas corpus petition"): _____
- (3) Issues raised: (a) _____
- (b) _____
- (4) Result (attach order or explain why unavailable): _____
- (5) Date of decision: _____
- b. (1) Name of court: _____
- (2) Nature of proceeding: _____
- (3) Issues raised: (a) _____
- (b) _____
- (4) Result (attach order or explain why unavailable): _____
- (5) Date of decision: _____

c. For additional prior petitions, applications, or motions, provide the same information on a separate page.

14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result:

NEW HABEAS CORPUS FILED IN RE;
DISTRICT COURT Administrative misconduct

15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

Petitioner has Claimed grounds
For relief multiple times to the California
STATE SUPREME and SUPERIOR COURT OF THE MATTER.

16. Are you presently represented by counsel? ☐ Yes ☒ No If yes, state the attorney's name and address, if known:

17. Do you have any petition, appeal, or other matter pending in any court? ☐ Yes ☐ No If yes, explain:

Civil Complaints Filed against Superior Judges
and STATE SUPREME COURT CLERKS

18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court:

I, the undersigned, say: I am the petitioner in this action. I declare under penalty of perjury under the laws of the State of California that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true.

Date: 04-22-2023

Josh Prince
(SIGNATURE OF PETITIONER)